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| 09/856,039 | 08/03/2001 | Hiroshi Usuda | SONYJP-126 | 3628 |

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EXAMINER

HILLERY, NATHAN

ART UNIT PAPER NUMBER

2176

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 09/856,039 | Applicant(s) USUDA, HIROSHI | |
| | Examiner Nathan Hillery | Art Unit 2176 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 74-136 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 74-136 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 2/9/05.
2. Claims 74 – 136 are pending in the case. Claims 74, 84, 87 – 89, 99, 102 – 104, 114, 117, and 118 are independent.
3. The rejection of claims 74 – 118 under 35 U.S.C. 103(a) as being unpatentable has been withdrawn as necessitated by amendment.
4. The objection to the Drawings has been withdrawn as necessitated by amendment.
5. The objection to the Specification has been withdrawn as necessitated by amendment.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 74 – 118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hishida et al. (US 6477549 B1) and in further view of Wang (US 6675385 B1).
8. **Regarding independent claim 74**, Hishida et al. teach *a device specification information storage unit for storing a plurality of pieces of device specification information* (Column 2, lines 45 – 47), which provide for **storing output attributes of an output device**. Hishida et al. teach that *the transmission documents may be transmitted from broadcasting stations as broadcast waves* (Column 20, lines 16 and

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17), which provides for **receiving digital broadcast signals**. Hishida et al. teach that *according to the present embodiment, the style sheet for a mobile communication terminal that has received a transmission document is extracted from a plurality of style sheets, in each of which the input/output information for one type of mobile communication terminal such as pagers is described, attached to the received transmission document. As a result, it is possible to process the received document according to the type of the mobile communication terminal that receives the received document* (Column 18, lines 21 – 29), which provide for **obtaining a style sheet based on attributes selected from the group consisting of the output attributes and the content attributes, the style sheet including output format information**. Hishida et al. do not explicitly teach **decoding the digital broadcast signals into AV data that includes visual and audio information and into supplementary data that includes content data having content attributes; and processing said content data using said style sheet for output via an output device**. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to modify and/or use the invention of Hishida et al. to provide for **processing the content data using the style sheet for output by the output device**, since Hishida et al. do teach that a tag 304 `<BODYSTYLE = "font:normal">` represents the beginning of the content of an HTML document, and shows that a normal font is used in the HTML document (Column 9, lines 19 – 21) and that *when receiving the transmission document creation instruction, the transmission document creation unit 208 writes a tag 601 `<HTML>` that represents the beginning of an HTML document and a tag 602 `<HEAD>`*

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*that represents the beginning of attached information such as a "Style Sheet" (Column 10, lines 45 – 49). Further, Wang teaches that multiplexed video and audio data streams 58A correspond to a plurality of multiplexed digital television channels including the video and audio programming for channel 3 (Column 7, lines 34 – 37) and that in operation, MPEG-2 decoder 50 separates the digital data of the MPEG-2 channel 48. According to the viewer selection, channel 3 video and audio 56 is reconstructed from digital form and displayed on an analog television display 34 (Column 7, lines 50 – 54), which provide for **decoding the digital broadcast signals into AV data that includes visual and audio information and into supplementary data that includes content data having content attributes**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Hishida et al. with that of Wang because such a combination would provide the users of Hishida et al. with an *electronic program guide embodied in a rotating data carousel of HTML pages formatted to be transported in the data packets of an MPEG-2 data stream* (Column 2, lines 9 – 12).*

9. **Regarding dependent claims 75 and 76**, Hishida et al. teach that *while the HTML is used as a markup language in the above-described embodiments, such a markup language is not necessarily limited to the HTML. For instance, the XML (Extensible Markup Language) may be used in describing transmission documents* (Column 20, lines 10 – 14), which provide that **said content data is written in a computer language format that includes arbitrarily definable tags**, and that **said computer language format includes extended markup language (XML) tags**.

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10. **Regarding dependent claim 77**, Hishida et al. teach that a tag 304

*<BODYSTYLE="font:normal"> represents the beginning of the content of an HTML document, and shows that a normal font is used in the HTML document (Column 9, lines 19 – 21), which provide that **said content data includes data selected from the group consisting of text data, still picture data, animation data, and voice data.***

11. **Regarding dependent claims 78 and 79**, Hishida et al. teach that *when the display data 1301 shown in FIG. 13 is displayed on the display 214 and when a signal that the "select button" on a pager 107 is pressed is transmitted from the input information conversion unit 212, the simulation operation execution unit 213 obtains the "onclick information" that has been stored, and changes the type of the font of the display data 1301 into italic according to the program of the script 309 described on the document body 612 in the transmission document 615. As a result, display data 1501 shown in FIG. 15 is displayed on the display 214 (Column 15, lines 14 – 23), which provide that **said style sheets include scripts that define said output format information as a function of said output attributes, and that said output attributes are selected from the group consisting of an output device display type, an output device resolution, an output device manufacturer's name, and an output device model name.***

12. **Regarding dependent claim 80**, Hishida et al. teach that *according to the present embodiment, the style sheet for a mobile communication terminal that has received a transmission document is extracted from a plurality of style sheets, in each of which the input/output information for one type of mobile communication terminal such*

*as pagers is described, attached to the received transmission document. As a result, it is possible to process the received document according to the type of the mobile communication terminal that receives the received document (Column 18, lines 21 – 29), which provide for **obtaining a plurality of style sheets, and selecting at least one of said plurality of style sheets based on said at least one of said output attributes and said content attributes.***

13. **Regarding dependent claims 81 and 82**, Hishida et al. teach that *transmitted via public networks in the above-described embodiments, the transmission documents may be transmitted from broadcasting stations as broadcast waves (Column 20, lines 15 – 17), which provide for **obtaining said at least one style sheet via a broadcast, and for obtaining said at least one style sheet via a network.***

14. **Regarding dependent claim 83**, Hishida et al. teach that *the present invention may be realized by recording a program that achieves the functions of each element in these devices on a computer-readable storage medium (Column 20, lines 23 – 25), which provide for **obtaining said at least one style sheet via a portable recording medium.***

15. **Regarding independent claim 84**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.

16. **Regarding dependent claim 85**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.

17. **Regarding dependent claim 86**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.

18. **Regarding independent claim 87**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.
19. **Regarding independent claim 88**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.
20. **Regarding independent claim 89**, the claim incorporates substantially similar subject matter as claims 74, and is rejected along the same rationale.
21. **Regarding dependent claim 90**, the claim incorporates substantially similar subject matter as claims 75, and is rejected along the same rationale.
22. **Regarding dependent claim 91**, the claim incorporates substantially similar subject matter as claims 76, and is rejected along the same rationale.
23. **Regarding dependent claim 92**, the claim incorporates substantially similar subject matter as claims 77, and is rejected along the same rationale.
24. **Regarding dependent claim 93**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
25. **Regarding dependent claim 94**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
26. **Regarding dependent claim 95**, the claim incorporates substantially similar subject matter as claims 80, and is rejected along the same rationale.
27. **Regarding dependent claim 96**, the claim incorporates substantially similar subject matter as claims 81, and is rejected along the same rationale.
28. **Regarding dependent claim 97**, the claim incorporates substantially similar subject matter as claims 82, and is rejected along the same rationale.

29. **Regarding dependent claim 98**, the claim incorporates substantially similar subject matter as claims 83, and is rejected along the same rationale.
30. **Regarding independent claim 99**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.
31. **Regarding dependent claim 100**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
32. **Regarding dependent claim 101**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
33. **Regarding independent claim 102**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.
34. **Regarding independent claim 103**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.
35. **Regarding independent claim 104**, the claim incorporates substantially similar subject matter as claims 74, and is rejected along the same rationale.
36. **Regarding dependent claim 105**, the claim incorporates substantially similar subject matter as claims 75, and is rejected along the same rationale.
37. **Regarding dependent claim 106**, the claim incorporates substantially similar subject matter as claims 76, and is rejected along the same rationale.
38. **Regarding dependent claim 107**, the claim incorporates substantially similar subject matter as claims 77, and is rejected along the same rationale.
39. **Regarding dependent claim 108**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.

40. **Regarding dependent claim 109**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
41. **Regarding dependent claim 110**, the claim incorporates substantially similar subject matter as claims 80, and is rejected along the same rationale.
42. **Regarding dependent claim 111**, the claim incorporates substantially similar subject matter as claims 81, and is rejected along the same rationale.
43. **Regarding dependent claim 112**, the claim incorporates substantially similar subject matter as claims 82, and is rejected along the same rationale.
44. **Regarding dependent claim 113**, the claim incorporates substantially similar subject matter as claims 83, and is rejected along the same rationale.
45. **Regarding independent claim 114**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.
46. **Regarding dependent claim 115**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
47. **Regarding dependent claim 116**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
48. **Regarding independent claim 117**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.
49. **Regarding independent claim 118**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.
50. **Regarding dependent claim 119**, Hishida et al. do not explicitly teach **combining ...** Wang teaches that *the digital MPEG-2 channel 48 consists of several*

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multiplexed data streams: multiplexed digital video and audio data streams 58A, simulcast data streams 58B and broadcast data streams 58C. Multiplexed video and audio data streams 58A correspond to a plurality of multiplexed digital television channels including the video and audio programming for channel 3 (Column 7, lines 31 – 37), which provide for combining the visual and audio information and the processed content data for output by the output device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Hishida et al. with that of Wang because such a combination would provide the users of Hishida et al. with *an electronic program guide embodied in a rotating data carousel of HTML pages formatted to be transported in the data packets of an MPEG-2 data stream (Column 2, lines 9 – 12).*

51. **Regarding dependent claim 120,** Hishida et al. do not explicitly teach **the content data includes a data module that is periodically repeated in the content data.** Wang teaches that *on each of the broadcast channels, 38, 38N, the same content is repeated in each video channel 48, 48N. On individual simulcast channels 40, 40N different content is broadcast for each respective video channel 48, 48N (Column 5, lines 20 – 23), which provide that the content data includes a data module that is periodically repeated in the content data.* It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Hishida et al. with that of Wang because such a combination would provide the users of Hishida et al. with *an electronic program guide embodied in a rotating data carousel of HTML*

pages formatted to be transported in the data packets of an MPEG-2 data stream
(Column 2, lines 9 – 12).

52. **Regarding dependent claims 121 – 136**, the claims incorporate substantially similar subject matter as claims 119 and 120, as are applicable, and are rejected along the same rationale.

Response to Arguments

53. Applicant's arguments filed 2/9/05 have been fully considered but they are not persuasive.

54. In response to Applicant's arguments that Hishida does not disclose or suggest **obtaining the style sheet from a remotely located server via a network** (p 21, sixth paragraph), it should be noted that Hishida does teach that *FIG. 1 shows a construction of a transmission document processing system according to the present invention. The communication document processing system includes an information providing server device 102 on the Internet 101 that is a public network, a transmission document edition device 103 for supplying transmission documents to the information providing server device 102, a relay server device 104 that is connected to public networks, and received document processing devices 105. A received document processing device 105 is realized by a mobile communication terminal, such as a mobile phone (hereinafter, called a "phone") 106 or a pager 107* (Column 8, lines 43 – 55). Therefore, it would have been obvious to the skilled artisan at the time of the invention to understand that a *server device on the Internet that is a public network* provides for **a remotely located server**.

55. In response to Applicant's arguments that Hishida does not disclose or suggest **obtaining a style sheet based on output attributes of an output device** (p 21, second paragraph), it should be noted that the passage of Hishida referenced by Applicant explains that Hishida does in fact disclose **obtaining a style sheet based on output attributes of an output device**. Specifically, Hishida teaches that *the simulation operation execution unit 213 reads the transmission document 615 (Step S902), and extracts the tags from the transmission document 615 (Step S904). The simulation operation execution unit 213 judges whether the first tag is at the end of the transmission document, i.e., the first tag is a </HTML> tag (Step S906). When the first tag is not a </HTML>; tag, the simulation operation execution unit 213 judges whether the first tag is a <DEVICE> tag (Step S908). When the first tag is a <DEVICE> tag, the simulation operation execution unit 213 judges whether the first tag is the <DEVICE> tag for the device that the operator has designated (Step S910). When it is not the case, the process returns to Step S904, and when it is the case, the simulation operation execution unit 213 judges whether the next tag is an <OUTPUT> tag (Step S912) (Column 12, lines 39 – 53); in addition, Hishida also teaches that at Step S908, when the first tag is not a <DEVICE> tag, the simulation operation execution unit 213 analyzes the HTML tags using the HTML browser (Step S920), and expands the HTML tags to internal data (Step S922). The process returns to Step S904 (Column 12, lines 63 – 67). The skilled artisan is aware that the invention of Hishida makes an effort to find the <DEVICE> tag so that the proper style sheet will be used for the proper device and thus **obtaining a style sheet based on output attributes of an output device**.*

Conclusion

56. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH


JOSEPH FEILD
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